THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D. APPA RAO

Taken up Writ Petition No.16398 of 2007

Date: 20-08-2007

Between:

Ameenabi

… Petitioner/s

And

The Station House Officer,
City Crime Station Police,
Balanagar Police Station,
Cyberabad and another.

… Respondent/s

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ORAL ORDER: (per the Hon'ble Sri Justice D.S.R.Varma)

Heard the learned Assistant Government Pleader, representing the learned Advocate General, appearing for the respondents.

2. This writ petition of Habeas Corpus is taken up on the basis of telegram, dated 28-07-2007 sent by one Smt. Ameenabi, w/o. Sk. Goramiya, H.No.3-152, Aditya Nagar, New Hafeezpet, Serilingampally, Cyberabad, Rangareddy District, to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad, alleging that her son viz., Shaik Abbas, was illegally taken away by City Crime Station Police, Balanagar, Cyberabad, on 27-07-2007 at 4-00 p.m., from her house.

3. The Inspector of Police, Central Crime Station, Balanagar, Cyberabad Commissionerate, filed a counter affidavit and from the material supplied along with the counter affidavit, it could be seen that the alleged detenu was produced before the Tahsildar-cum-Mandal Executive Magistrate, Serilingampalli, who recorded the statement of the alleged detenu wherein he assertively stated that without informing his family members, he went to Zaheerabad along with his friends and

that he returned home on the next day i.e., on 28-07-2007 after coming to know that a complaint had been made by the family members and as on the date of producing him before the Tahsildar-cum-Mandal Executive Magistrate, Serilingampalli, he was moving freely and there was absolutely no problem whatsoever meted out by the alleged detenu at the hands of the police. The statement of the alleged detenu is made part of the record, which contains the photograph of the alleged detenu also.

4. Under the above circumstances, we do not see any reason to disbelieve the statement recorded by the Mandal Executive Magistrate, Serilingampalli and in view of the said statement of the alleged detenu, nothing further survives in this writ petition and the same is liable to be dismissed.

5. Accordingly, the writ petition is dismissed, at the stage of admission. However, there shall be no order as to costs.

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JUSTICE D.S.R.VARMA

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JUSTICE D. APPA RAO

20-08-2007.
Msr.

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(Msr)